

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

FILED  
MAILROOM

2019 JUL 18 PM 12:56

In re:

RICHARD D. FAIRBANK

Debtor

Annamalai Annamalai

Plaintiff

v.

Richard D. Fairbank

Defendant

Case No. 16-12528-BFK  
Chapter 7 (Involuntary)

Adversary Proceeding  
No.16-01173

CLERK  
US BANKRUPTCY COURT  
ALEXANDRIA DIVISION

PETITIONER ANNAMALAI ANNAMALAI'S " VERIFIED NOTICE "  
OF FILING CERTAIN PUBLIC - STATE COURT RECORDS UNDER ARTICLE IV,  
SECTION 1 OF THE UNITED STATES CONSTITUTION & UNDER 28 U.S.C. § 1738

COMES NOW, Annamalai Annamalai, a petitioner and a victim of respondent, respectfully states as follows.


1. Annamalai has enclosed herewith certain ' judicial records' of ' State court's 'judicial proceedings' occurred at Vigo County Superior Court, Terre Haute-Indiana in the case number: 84D03-1704-MI-2768, and in an another state court action at Williamson County, Marion - Illinois in the case no.2018-LM-00098-001, and those judicial records are fully and expressly reincorporated herein. See: Exhibit(s) No(s): 001 and 002.

2. These judicial records are noticed to the court to this action under 28 U.S.C. §1738, United States constitution's Article IV, Section 1, also under Federal Rule of Evidence's 801(d)(2)(A) through ( E ), 401, 402, 803(6), 901.

3. Exhibit- 004 is a latest correspondence received from FEDERAL INSURANCE CORPORATION affecting the interests of the Respondent in several ways, enclosed herewith and by reference, fully and expressly reincorporated herein.

4. Exhibit(s) 003 are the copies of ' certified judicial records' from the state court of Vigo County Superior court.

Respectfully Submitted this day of July 4th 2019.

  
Annamalai Annamalai  
Creditor  
C/O P.O.Box-1000  
Marion, IL-62959

CERTIFICATE OF SERVICE


Annamalai certifies that, this document is caused to be mailed to the following persons, via first class mail, postage being prepaid, by depositing the same in the prison's internal mailing system.

Executed on: 07/04/2019

Richard D. Fairbank  
1680 Capital One Drive  
McLean, VA 22102

Sarah Beckett Boehm, Esquire  
McGuire Woods, LLC  
800 East Canal Street  
Richmond, VA 223219  
*Counsel for Richard D. Fairbank*

Office of the United States Trustee  
115 South Union Street  
Alexandria, VA 22314

  
Annamalai Annamalai  
P.O.Box-1000: IL-62959

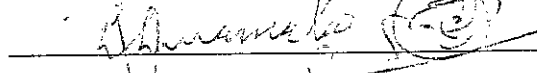
CERTIFICATION

I declare under penalty of perjury that:

(1) No attorney has prepared, or assisted in the preparation of this document.

Annamalai Annamalai

Name of Pro Se Party (Print or Type)



Signature of Pro Se Party

Executed on: 07/04/2019. (Date)

V I G O C O U N T Y C I R C U I T C O U R T  
T E R R E H A U T E I N D I A N A

FILED

VIGO COUNTY SUPERIOR COURT

JUN. 20 2017

Annamalai Annamalai,  
Plaintiff/Petitioner,

I, Bradley M. Newman, Clerk of the Vigo Circuit Court and Ex-officio Clerk of the Superior and County Courts of Vigo County, do hereby certify that this document is a full, true and complete copy of

*Bradley M. Newman*  
CLERK

Notice of Discovery  
Cause No. 84D03-1704-MI-2768

V.

As the same appears of record in the files of this office of which I am legal and lawful custodian.

Case No: 84D03-1704-MI-2768

IN WITNESS WHEREOF, I have hereunto set my hand and

Vishal Kalyani,  
Respondent/Defendant.

official seal, this the 19 day of November 2018.

*Bradley M. Newman* KB.  
CLERK OF THE VIGO CIRCUIT COURT AND  
EX-OFFICIO CLERK OF THE SUPERIOR AND  
COUNTY COURTS OF VIGO COUNTY

NOTICE OF DISCOVERY

The Plaintiff Annamalai Annamalai humbly states that a discovery request was effectuated for the parties in privity to this cation, which was on or about May 23, 2017 vis first class mail, postage prepaid. The names and the respective invoice numbers assigned to the defendant ( negotiable instruments ) with the names of the parties in privity are enclosed herewith as Exhibit -A, enclosed herein and by reference expressly reincorporated herein.

The Parties in privity were served with the discovery requests pursuant to Indiana Trial Rule 34 & 36. The response from the parties in privity is due on or before June 23 2017.

Respectfully submitted this day of June 08 2017.

*Annamalai Annamalai*  
Annamalai Annamalai  
P.O.Box-33  
Terre Haute  
Indiana 47808-0033

Certificate of service

This document is caused to be mailed to the court and to the defendant via first class mail, postage prepaid.

Respectfully submitted this day of June 08 2017.

*Annamalai Annamalai*  
Annamalai Annamalai  
P.O.Box-33  
Terre Haute  
Indiana 47808-0033

IN THE  
VIGO COUNTY SUPERIOR COURT/CIRCUIT COURT  
TERRE HAUTE, INDIANA

Annamalai Annamalai  
Plaintiff,

v.

Vishal Kalyani  
Defendant.

Case No: 84D03-1704-MI-2768

\* PLAINTIFF Annamalai Annamalai's  
FIRST REQUEST FOR ADMISSIONS  
AND REQUEST FOR PRODUCTION OF  
DOCUMENTS.

Richard D. Fairbank  
CAPITAL ONE BANK ( USA ) N.A.  
1680 Capital One drive  
McLean, virginia 22101-3491

Richard D. Fairbank  
CAPITAL ONE SERVICESS LLC  
c/o 1680 Capital One Drive  
McLean, Virginia 22101-3491

The Plaintiff Annamalai Annamalai ( hereinafter ' Annamalai ' , " Victim", 'Plaintiff' 'Petitioner', 'Selvam' ), HEREBY REQUESTS that YOU ADMIT, under OATH, to all of the following matters for the purposes of this instant proceeding as required of you Pursuant to LR-84-TR26-7, Trial Rule 16 of the Indiana Rules of Trial Procedure, LR84-TR16-5, Trial Rule 34(a)(1)(A), 34(b)(1)(C), and Rule 35, within 30 days of the mailing of the service of the following Requests. Please See Supreme Court's Rulings embodied in Houston V. Lack, 487 US 266 (1988) to understand the 'service' and 'mailing' by the Prisoner(s).

Your Response hereto, if you choose to Respond, SHALL and WILL be Signed by YOU. Your Response(s) SHALL and WILL be used in this proceeding and also will be used in any other parallel, judicial, non-judicial, Arbitration, Extra - Judicial Proceeding(s), as this Plaintiff deems necessary, in his sole discretion.

Admission No. 1

Admit that you name is Richard D. Fairbank

Response:

Admission No. 2

Admit that you also goes by the name(s) Fairbank, Richard  
Capital One.

Response:

Admission No. 3

Admit that; you have harmed and injured the Plaintiff and caused an injury in fact towards the Plaintiff.

Response:

Admission No. 4

Admit that, the Private remedy process(s), as sent to you in an

EXHIBIT -001/1

expressed way, are all genuine and proper authenticated Bills/financial instruments.

Response:

Admission no.5

Admit that, the Invoice # AvT-VK- 0049 are all well received by you, and you agree to the remedy, relief, demand as evidenced by the Demand for Payment & demand for specific performance, attached hereto, fully incorporated herein by reference.

Response:

Admission No.6

Admit that, any controversy about Invoice # AvT-VK- 0049 fully waived by you and you agree and consent to settle the Invoice Amount as damages towards the Defendant Parvathi sivanadiyan, since she is the holder in due course of the Invoice(s) subjecting your Debt of \$500 Million which you bound to owe the Plaintiff in the first place by your contract.

Response:

Admission No.7

Admit that the plaintiff did not commit any fraud to you and or any and all kinds of businesses, associated with you, inclusive of any and all kinds of financial institution.

Response:

Admission No.8

Admit that, you have caused to give false statement(s) to Federal Agent(s) intentionally, by concealing the truth to harm and injure the plaintiff to get charged with Bankfraud and also for the conviction of the same.

Response:

Admission No.9

Admit that, none of the Capital one and its associate entities were defrauded and or caused to get defrauded by the Plaintiff.

Response:

Admission no.10

Admit that, Capital One Services LLC Inc is not a Financial institution at all.

Response:

Admission No.11.

Admit that, the plaintiff did not file any and all kinds of false pretenses to the CAPITAL ONE to obtain the property of the bank and or attempted to obtain the property of the Bank. (Capital One Bank)

Response:

Admission No.12

Admit that, you have conspired with a female IRS agent known as Jacqueline H. Reynolds also known as Jackie, aka agent Reynolds, to illegally steal and misappropriate the Trade secrets belonging to the Plaintiff, without his permission and or authority.

Response:

Admission No.13

Admit that, You will settle the damage amount of Invoice AvI-VK-0049, with 6% interest to Ms. Vishal Kalyani immediately and the interest will accrue since 05.10.2016 onwards, without any due course to you and or your assigns, and or successor(s).

Response:

Admission No.14

Admit that, you agree and fully consent that, any and all of your assets in any forms will be frozen from 02.04.2017, until you settle the INVOICE AMOUNT as stipulated in the item no.13 above.

Response:

Admission No. 15

Admit that, you allow and cooperate with the arbitrators, selected by the Plaintiff to place lien on any and all of your assets of any nature in which you have any kinds of interest(s); until you settle the Invoice # AvI-VK-0049 as stipulated in the item no.13 above.

Response:

Admit that, YOU and your co-conspirators all joined together for an illegal goal and caused to convict the plaintiff in the criminal case no.1:13-cr-00437-TCB-CMS, by helping the corrupt prosecution team, which involved in the case no. 1:13-cr-00437-TCB-CMS.

Response:

Admission No.17

Admit that, you have filed and or caused to file false paper works and or evidence(s) with the United States Government and ot its agency(s) to falsely indict and or convict the plaintiff, knowingly and maliciously.

Response:

Admission No.18.

Admit that the Plaintiff Annamalai Annamalai and Mr.Kumar Chinnathambi a natural individual, falsely shown as a co-conspirator of the Plaintiff Annamalai Annamalai; both are innocents and YOU intentionally harmed them and injured them, to get indicted and or convicted.

Response:

Admission No.19

Admit that, YOU will immediately take necessary steps to appoint a competent counsel, who can handle the Criminal case of the plaintiff, at your cost and expenses, for the immediate release of the Plaintiff from the prison.

Response:

Admission No.20

Admit that, you will allow the Plaintiff to choose a right counsel to represent his criminal case, by YOU pay for all the costs and expenses of the same.

Response:

Admission No.21

Admit that, you immediately make all the necessary arrangement(s) to move the wife and two children and the Mother of the Plaintiff back to the United States, and you will provide a house in a best neighborhood in Northern California, with a job for the Plaintiff's son in any and all best airlines in the United states as a commercial pilot.

Response:

Admission no.22

Admit that, as per the admissions No.21, you will provide a home and deed that home to the name of Vishal Kalyani, with a home appraisal value, not below than \$10,000,000.00 immediately.

Response:

Admission No.23

Admit that, you will move with any and all government agencies for the immediate release of the Plaintiff.

Response:

Admission No.24

Admit that, you are a Party in Privy to this action, and you will pay for all the costs and fees for any and all arbitration, if the Plaintiff initiate one, to collect Invoice AvT-VK-0049 from you and to enforce any and all admissions as shown in this document, inclusive of any all court proceedings, from 07/01/2017 onwards.

Response:

Admission No.25

Admit that, you waive any and all of your rights to dispute, controvert the Admissions, if you do not answer all the admissions within 30 days of the mailing of this document.

Response:

Affirmation & Verification

Annamalai Annamalai, the Plaintiff in this action, DECLARES under penalty of perjury that the foregoing are all true and correct. Executed on May, 13, 2017.

Respectfully submitted this day of May 13 2017

Annamalai Annamalai  
P.O.Box-33 IN-47808-0033

Certificate of service

This document is mailed to Nalms David, and to the defendant Parvathi Sivanadiyan via first class mail, postage prepaid by depositing the same in the Prison's mail box, pursuant to the Rules and regulations of FCI-THA, Terre Haute, IN-47808.

May 13 2017

-4-

Annamalai Annamalai  
Exhibit -001/4

June, 13 2017

Annamalai Annamalai  
aka: Swamiji Sri Selvam Siddhar  
Hindu High Priest  
C/O P.O.Box-33  
Terre Haute, Indiana 47808-0033

To,

Richard D.Fairbank  
Capital One bank ( USA ) Inc.,  
1680 Capital one drive  
McLean, VA- 22101-3491

Richard D.Fairbank  
C/O Samir Kaushal  
Assistant U.S.Attorney  
75 Ted turner Drive S.W. # 600  
Atlanta GA-30303

On or about May, 13 2017, I have caused to mail you civil discovery concerning Rule 34 and Rule 36 pursuant to Indiana Rules of Trial procedure in a related proceeding(s) you and your privies are involved.

As of this day of this notice I have not received any response from you and or from your privies as noticed in my earlier correspondence with the copies of the discovery requests.

Since, as per my understanding you are not going to obey the law and not respond to my discovery requests, I will appropriately move the court for further relief(s) and remedies as I am entitled to it.

I have been harmed and injured by YOU and by your Privies as shown in the discovery with the pertinent facts and matters, inclusive of the pending invoice(s), still you owe, which all have caused an irreparable harm(s) and an "injury-in-fact" per se.

I am man of honor, a Hindu High Priest, and I will always obey the law and stand up always as a truthful citizen in this state and this country all my life. I have attempted to several times in the past to settle our disputes inclusive of your privies in an amicable and peaceful manner, however, I have been harmed and injured by you and by your privies at least to the tune of damages as well documented via the negotiable instrument(s) directed to YOU and also about your privies, to YOU as their agent and or their attorney, last month.

I am going to move the court(s) appropriately for the relief, inclusive of through arbitration proceedings soon, with the matters 'conclusively' established for the purposes of the court proceedings, as you have been notified, last month, with the copies of the discovery directed to you under Rule 34, and 36 already.

Looking forward to working with you to settle the matters efficiently, effectively in the interest of justice, and in the interest of judicial economy, this Notice has been mailed to you.

Respectfully,

CC: To Defendants in the case.

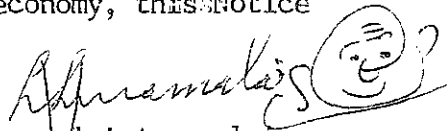
  
Annamalai Annamalai  
Plaintiff.

EXHIBIT-001/5



I N T H E  
CIRCUIT COURT OF WILLIAMSON COUNTY  
MARION ILLINOIS

Annamalai Annamalai,

Plaintiff

V.

Case No. 2018-LM-000098-001

Parvathi Sivanadiyan,

Defendant.

To. Richard D.Fairbank  
1680 Capital One Drive  
McLean Virginia 22101-3491

Plaintiff Annamalai Annamalai's  
First Request for Admissions

The Plaintiff Annamalai Annamalai ( hereinafter ' Annamalai ' / ' Victim ' / Plaintiff ) hereby Requests that YOU ADMIT under OATH, to all of the following matters, for the purposes of this instant proceeding(s) as required of you, pursuant to local Rules of Williamson County, Marion - Illinois, under Rule 2.5(F) and also under/pursuant to Illinois Supreme Court Rule 216, inclusive of any and all rules applicable to the following Request for Admissions.

You are advised that, your response as stated herein shall reach Annamalai within 28 days and four days for the mailing rule. Please also understand the Prison mail box rule which would affect this document. Your response and or non response will be used in this proceedings and also will be used in the Arbitration, and judicial and or Extra Judicial proceeding(s). A copy of the complaint filed in the above styled action is enclosed herewith as Exhibit-001.

Admission No.1

Richard D.Fairbank

Admit that your name is \_\_\_\_\_, and you are also known as \_\_\_\_\_

Response: Mr.Fairbank

Admission No.2

Admit that, you are a party in privity to this action.

Response:-

EXHIBIT -002

Admit that, you are a fraud, and caused an injury in fact towards Annamalai, knowingly and intentionally, which all lead to an injury in Fact for Annamalai.

Response:-

Admission No.3

Admit that, you have caused to and or conspired with other individuals and or entities to steal, misappropriate the Trade Secrets belonging to Mr.Annamalai.

Response:-

Admission No.4

Admit that, you have failed to settle the invoice number Guru-022 which was already received by you from Annamalai.

Response:-

Admission No.5

Admit that, the Invoice number Guru-022, is perfect, true and nothing but true, and also you fully agree to all the matters as shown in the said invoice herein.

Response:-

Admission No.6

Admit that, you have patently failed to settle the invoice as stated in the item number 4 & 5 herein, in a timely manner, either with/to Annamalai and or to the defendant Parvatni Sivanadiyan, being Parvathi Sivanadiyan an Assignee and or holder in due course of the invoice as stated in the item number 4 & 5 herein.

Response:

Admission No.7

Admit that, the truth of the matters asserted and or shown in this document, inclusive of the Invoice number Guru-022, are with relates to the facts and or the application of law to the facts. and or genuiness of the documents.

Response:-

Admission No.8

Admit that, you individually and also by conspiring with other individual and or entities, caused to maliciously prosecute Annamalai Annamalai- the plaintiff in the district court action ( Northern District of Georgia ) in the case no. 1:13-cr-00437-TOS-CMS, and thereby caused an irreparable harm towards Annamalai.

Response:-

Admission No.9

Admit that, the truth of the matter(s) as asserted and or shown in the complaint filed on this action against you, are 100% with relates to the facts and or the application of law to the facts, and or genuiness of the documents. (See: Exhibit-001)

Response:-

Admission No.10

Admit that you will settle the pending invoice as shown in the item no 4 & 5, above herein, directly towards Ms.Parvathi Sivanadiyan, 'within' 30 ( thirty days ) from the 'mailing' of this document.

Response:-

Admission No.11

Admit that, you by yourself and also through your friends, agents, employees caused to place and or post 'untruthful' and malicious, and also defamatory matters about Annamalai, Annamalai's family members and also about Annamalai's Temple organizations, and thereby have caused an injury-in -fact and irreparable harms towards Annamalai and his reputation in the community and also to Annamalai's business and his profession(s).

Response:-

Admission No.12

Admit that, you Agree & Consent with the plaintiff Annamalai Annamalai as such any and all of the admissions once admitted by you and or deemed admitted by YOU will be used against YOU in this proceedings, inclusive of any other judicial, non-judicial, arbitration and or extra-judicial proceedings.

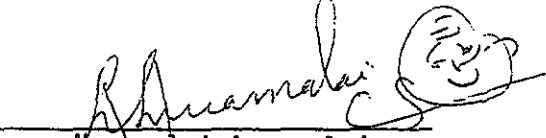
Response:-

Admission No.13

Admit that, you will NOT object by all means, about the place and or country, in which any kinds of Arbitration occurs concerning the invoice number as shown in the item number 4 & 5 of this document, in case you happend to fail to fully settle the invoice within 30 days from the mailing of this document to you.

Response:-

Respectfully Submitted this day of August 01, 2018.

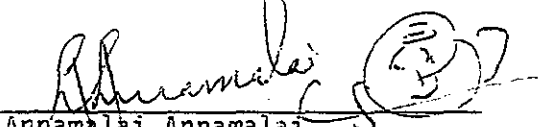
  
Annamalai Annamalai  
P.O.Box-1000  
Marion, IL-62959

AFFIRMATION & VERIFICATION

I, Annamalai Annamalai, a man of maturity, competent to testify, who has the first hand knowledge of all the facts and matters as asserted in my initial complaint, and also in this document AFFIRMS solemnly that, they are True and nothing but True.

I, Annamalai declare/verify under penalty of perjury that, the foregoing are True and correct.

Executed on:- August 01, 2018.

  
Annamalai Annamalai  
( Declarant-Plaintiff )

Certificate of Service

I, Annamalai certify that, this document is caused to be mailed to the party as shown in the first page of this document, by Annamalai depositing the same in the prison mail box system, by hand delivering the same to the prison official, to be posted in the United States post, by first class mail, and postage being prepaid.

Respectfully Submitted this day of August 01, 2018.

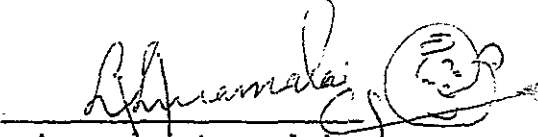
  
Annamalai Annamalai  
P.O.Box-1000  
Marion, IL-62959

Exhibit-

Exhibit -002/3

IN THE  
VIGO COUNTY SUPERIOR COURT/CIRCUIT COURT  
TERRE HAUTE, INDIANA

FILED

JUN 26 2017

Annamalalai Annamalalai  
Plaintiff,

V.

Vishal Kalyani  
Defendant:

Case No: 84D03-1704-MI-2768

NOTICE OF FILING OFFER-ACCEPTANCE OF JUDGEMENT  
REQUEST THE CLERK OF COURT TO ENTER JUDGEMENT

Comes Now, Annamalalai Annamalalai ( 'Plaintiff' ) is filing this pleading and he humbly shows the court and the clerk of Court as follows.

On or about June, 16 2017 , the defendant Vishal Kalyani( 'VK ' ) has presented an 'offer of judgement' towards the Plaintiff, which was duly accepted as is by the Plaintiff. The records relates to 'VK ' offer of Judgement, the acceptance of Judgement by the Plaintiff, the proof of service, and with the associated documents, WITH a Motion for an expedited application for the appointment of an arbitrator panel is all enclosed herewith, and by reference, expressly reincorporated herein.

The following are the documents enclosed herein:


1. The Offer of Judgement by Defendant 'VK', with a total pages of 10 ;
2. A notice of acceptance of offer of judgement with 1 ( one ) page;
3. A Proof of service document with one (1) page;
4. A document styled as Claim for mandatory judicial notice, with 3 (three) pages and the enclosed true copies of Trial Rule 36 request for admissions with a total page count of 92 ( Ninety Two Exhibits );& Documents 1 & 2.
5. A Motion styled as 'expedited Application for an appointment of Arbitrators with a total of 3 ( three ) pages.

The Plaintiff respectfully request the clerk of Court to enter a judgement in favor of Annamalalai Annamalalai the Plaintiff in this action pursuant to Indiana Trial Rule 68 and against Vishal Kalyani the defendant.

Page 1 of 2


Exhibit-003


Respectfully submitted this day of 22, June 2017.

  
Annamalalai Annamalalai  
P.O. Box-33  
Terre Haute  
Indiana 47808-0033

Certificate of service

The Plaintiff certifies that, he has caused to mail this document to the court and also to the Defendant via first Class mail, postage Prepaid.  
Respectfully submitted this day of 22, June 2017.

  
Annamalalai Annamalalai  
P.O. Box-33  
Terre Haute  
Indiana-47808-0033

STATE OF INDIANA  
COUNTY OF VIGO 1st  
I, Bradley M. Newman, Clerk of the Vigo Circuit Court and Es-  
sential Clerk of the Superior and County Courts of Vigo County, do hereby  
certify that the foregoing is a true and complete copy of  
the original document as filed with me and complete copy of  
Case No. 84D03-1704-MI-2768  
As the same appears of record in the files of the office of which I am legal  
and sworn officer.  
IN WITNESS WHEREOF, I have hereunto set my hand and  
official seal this 19 day of November 2018  
  
CLERK OF THE VIGO CIRCUIT COURT AND  
ESSENTIAL CLERK OF THE SUPERIOR AND  
COUNTY COURTS OF VIGO COUNTY

Page 2 of 2



Federal Deposit Insurance Corporation  
550 17th Street, NW, Washington, DC 20423-9990

Legal Division

March 25, 2019

Annamalai Annamalai  
Reg. ID # 56820-379  
USP - MARION  
P.O.Box-1000  
Marion, IL 62959

FDIC FOIA Log Number 19-0143

Dear Annamalai Annamalai:

This will respond to your letter dated March 7, 2019, which we are processing pursuant to the provisions of the Freedom of Information Act ("FOIA"), 5 U.S.C. §552. In your letter, you ask the following:

Request you to provide me with the "status" of the following business entities about whether they are FDIC insured financial institutions or not? I have given the "exact names" of those entities as follows:

Merchant Warehouse/Merchant Warehouse Inc.  
Discover Financial Services Inc.  
Capital One Financial Services LLC  
American Express Merchant Services  
Discover  
American Express  
Capital One  
Micamp Merchant Services Inc./Micamp Merchant Services  
Merchant Services/Merchant Services Inc.  
Bankcard Merchant Services Inc./Bankcard Merchant Services  
Elavon Merchant Services Inc., Elavon

The FOIA does not require that an agency conduct research, answer questions, or provide information that has already been made publicly-available on our website. As a one-time courtesy, however, I provide the following information.

The FDIC is a regulator and an insurer of deposits at the nation's financial institutions. None of the entities you list are FDIC-insured financial institutions. Therefore, the FDIC would not have agency records under its custody or control relating to these entities.

Evidence no.31

Exhibit-004

Since your request does not seek access to FDIC agency records, it cannot be processed further, and we are administratively closing our file on your request. I trust you will find this information helpful.

Sincerely,

Lisa M. Snider  
Government Information Specialist  
FOIA/Privacy Act Group, Legal Division

31/1